

Amendments to the Drawings:

The attached replacement drawing sheets makes changes to Figs. 16(A) and 30(A) and (B) and replace the original sheets with Figs. 16(A) and 30(A) and (B). Figs. 15(C) and 16(B)-(D) are added.

Attachment: Replacement Sheets

REMARKS

Claims 1-6 and 8-39 are pending in this application. By this Amendment, claims 1-3, 11 and 18-34 are amended, claim 7 is canceled without prejudice to or disclaimer of the subject matter recited therein, and claims 35-39 are added. The specification and abstract are amended. Figs. 16 and 30(A) and (B) are amended, and Figs. 15 (C) and Figs. 16(B)-(D) are added. No new matter is added. Reconsideration of the application is respectfully requested.

I. Formal Matter**A. Declaration**

The Office Action notes that boxes on page 1 of the Declaration are not checked and that the second one should be checked. Applicants appreciate the Examiner's pointing out of Applicants' inadvertent omission. However, Applicants respectfully note that according to MPEP §602(VI), a Declaration filed after the filing date of an application is acceptable if it indicates an application number. Because the Declaration filed on June 14, 2005, which is after June 10, 2005 on which the present application was submitted to the Patent Office, indicates an international application number and because there is no procedural requirement to submit a particular form or to check a box, the Declaration is acceptable.

B. Specification

The Office Action requests Applicants' cooperation in correcting errors in the specification. In response, Applicants amend the specification to correct typographical errors.

C. Drawing Objection

The Office Action objects to Figs. 30(A) and 30(B). Figs. 30(A) and 30(B) are amended to obviate the objection.

The Office Action states that descriptive text, such as DISCHARGED LIQUID, should be avoided in the figures. However, 37 CFR §1.81(b) and §1.84(o) state that descriptive texts are proper to facilitate the understanding of those skilled in the art. See

MPEP §608.02(v). Therefore, Applicants believe that the descriptive text used in the drawings of the present application is proper. Accordingly, withdrawal of the objection is respectfully requested.

D. Drawing Objection under 37 CFR §1.83(a)

The Office Action objects to the drawings under 37 CFR §1.83(a), asserting that the invention as claimed in claims 23, 24 and 26-29 are not shown in the drawings. Claims 23, 24 and 26 are amended for clarity. See the specification at, for example, page 43, 13 to page 46, line 1. In addition, to obviate this objection, Applicants submit new Figs. 15(C) and 16(B)-16(D). The features of claim 23 are shown in Figs. 15 (B). Applicants respectfully submit that the internal space recited in claim 23, for example, corresponds to the space above the absorbent product 50 and 51 shown in Fig. 15(A)-(C). The features of claim 24 are shown in Fig. 15(C). The features of claims 26-29 are shown in Figs. 16(A)-16(D), respectively. The specification is amended to describe the new figures. Because the original specification fully supports the features shown in the new figures, the new figures do not introduce new matter. As such, entry of the new figures is proper. Accordingly, withdrawal of the objection is respectfully requested.

E. Rejection under 35 U.S.C. §112, first paragraph

The Office Action states that the specification should be revised in order to comply with 35 U.S.C. §112, first paragraph. The specification is amended to obviate the rejection.

With respect to page 32, lines 15 and 21 and page 33, line 5 of Applicants' specification, the single-layer synthetic resin film means a film formed into a thin sheet by, for example, extruding, casting or inflating a synthetic resin, such as polyethylene, polypropylene, PET, synthetic rubber and the like. Accordingly, withdrawal of the rejection is respectfully requested.

F. Description Objection

The Office Action objects to the disclosure because of informalities. The specification and claims are amended to obviate the objection.

Under item 2) of this section of the Office Action, the Office Action asserts that the description of page 4, line 14 of the specification is not found in the claims. Applicants respectfully submit that, although there is no requirement that the description in the Summary of the Invention section must also be in the claims, claim 3, for example, recites features similar to such description.

With respect to the term "absorber" in the amended paragraph at page 4, line 1 under item 5), Applicants confirm that the term is correct.

With respect to the term "Air Laid" under item 7), Applicants respectfully submit that this term is not a trademark. However, to improve the clarity of the term, it is amended to "air-laid."

With respect to item 8), as discussed above, claims 23, 24 and 26 are amended to increase the clarity, and new figures are added by the Amendment. Therefore, Applicants believe that the description relating to the features recited in claims 23, 24 and 26-29 are now clearer. Thus, withdrawal of the objection is respectfully requested.

G. Use of trademarks

The Office Action points out that the trademarks used in the specification should be capitalized. The Amendment amends the specification to obviate the objection. Thus, withdrawal of the objection is respectfully requested.

H. Claim objection

The Office Action objects to claims 1-34 for informalities. The claims are amended to obviate the objection. Thus, withdrawal of the objection is respectfully requested.

I. Rejection under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 1-34 under 35 U.S.C. §112, second paragraph. The claims are amended to obviate the rejection. Thus, withdrawal of the rejection is respectfully requested.

J. Claim language interpretation

The Office Action asserts that claims are interpreted in specific ways due to lack of clarity. Applicants respectfully amend the claims to increase the clarity.

II. Patentable Subject Matter

A. The Office Action rejects claims 1-15 and 17-21 under 35 U.S.C. §102(b) over U.S. Patent No. 5,718,698 to Dobrin et al. (Dobrin). This rejection is moot with respect to canceled claim 7. The rejection of the remaining claims is respectfully traversed.

Claim 1 recites, *inter alia*, the surface sheet fully covers in a lateral direction and partially or entirely in a longitudinal direction of an upper surface of the absorber, and that the discharged liquid supplied to the surface sheet is absorbed from the lateral and lower surfaces of the absorber without being absorbed by the upper surface thereof. These features are described in the specification at, for example, page 25, lines 17-18, page 25, line 23-page 26, line 2 and 27, lines 7-10.

That is, when the discharged liquid is moved laterally and longitudinally on the surface sheet, there is no passage for moving the discharged liquid to the upper side of the absorber because the surface sheet is liquid-impermeable. A part or all of the discharged liquid is diffused from the lower side of the absorber towards the upper side. This prevents the absorbing rate from being significantly lowered with the elapse of time and reduces the re-wet amount. See page 19, lines 3-8 of Applicants' specification.

On the other hand, the top sheet of Dobrin is liquid-permeable due to the apertures existing entirely on the surface of the top sheet. Therefore, in Dobrin, there is no liquid-

impermeable sheet that fully covers in a lateral direction and partially or fully covers in a longitudinal direction of the absorber, as recited in claim 1.

In addition, in Dobrin, when the discharged liquid is moved in the lateral or longitudinal direction on the top sheet 24, the liquid collides with the apertures, and therefore, a portion or all of the liquid is absorbed by the upper surface of the absorber. Therefore, Applicants respectfully submit that Dobrin does not teach or suggest these features.

At least for these reasons, Applicants respectfully submit that claim 1 is patentable over Dobrin.

Claims 2-15 and 17-21 are allowable at least for their dependence on claim 1, as well as for the additional features they recite. Accordingly withdrawal of the rejection is respectfully requested.

B. The Office Action rejects claims 32-34 under 35 U.S.C. §103(a) over Dobrin. This rejection is respectfully traversed.

As discussed above, Dobrin does not teach or suggest each and every feature of claim 1. Therefore, claims 32-34 are allowable at least for their dependence on claim 1, as well as for the additional features they recite. Withdrawal of the rejection is respectfully requested.

C. The Office Action rejects claim 16 under 35 U.S.C. §103(a) over Dobrin in view of U.S. Patent No. 6,111,163 to McCormack et al. (McCormack) and U.S. Patent No. 6,232,521 to Bewick-Sonntag et al. (Bewick). This rejection is respectfully traversed.

Neither McCormack nor Bewick overcomes the deficiencies of Dobrin with respect to claim 1. Therefore, claim 16 is allowable at least for its dependence on claim 1, as well as for the additional features it recites. Accordingly, withdrawal of the rejection is respectfully requested.

D. The Office Action rejects claims 1, 30 and 31 under 35 U.S.C. §103(a) over U.S. Patent No. 5,897,544 to Ronnberg in view of Dobrin. This rejection is respectfully traversed.

As shown in Fig. 1 of Ronnberg, an opening 24 provided on the top side of the diaper is designed to conduct urine into a pocket 28 formed behind the opening 24. See col. 4, lines 45-46. Therefore, Ronnberg does not teach or suggest that discharged liquid supplied to the surface sheet is absorbed from the lateral and lower surfaces of the absorber without being absorbed by the upper surface thereof, as recited in claim 1.

As discussed above, Dobrin provides apertures on the top surface and thus does not overcome Ronnberg's deficiency. Therefore, Ronnberg and Dobrin, alone or in combination, do not teach or suggest the features of claim 1. As such, claim 1 is patentable over Ronnberg and Dobrin.

Claims 30 and 31 are allowable at least for their dependence on claim 1, as well as for the additional features recited therein. Accordingly, withdrawal of the rejection is respectfully requested.

E. The Office Action rejects claims 1 and 22-29 under 35 U.S.C. §103(a) over U.S. Patent No. 4,324,246 to Mullane et al. (Mullane) in view of Dobrin. This rejection is respectfully traversed.

As discussed at col. 2, line 40 and shown in Fig. 1 of Mullane, the topsheet 12 is liquid permeable, unlike the surface sheet as recited in claim 1 of the present application, which is liquid impermeable. In addition, because the topsheet 12 is liquid permeable, Mullane does not teach or suggest that the discharged liquid supplied to the surface sheet is absorbed from the lateral and lower surfaces of the absorber without being absorbed by the upper surface thereof, as recited in claim 1.

As discussed above, Dobrin provides apertures on the top surface and thus does not overcome Mullane's deficiency. Therefore, Mullane and Dobrin, alone or in combination, do not teach or suggest the features of claim 1. As such, claim 1 is patentable over Mullane and Dobrin.


Claims 22-29 are allowable at least for their dependence on claim 1, as well as for the additional features recited therein. Accordingly, withdrawal of the rejection is respectfully requested.

F. Claims 35-39 are added by the Amendment. The features recited in claims 35-39 are fully supported by the specification and figures of the present application. Therefore, claims 35-39 are allowable at least for their dependence on claim 1, as well as for the additional features recited therein.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Aaron L. Webb
Registration No. 56,930

JAO:KXH

Attachments:

Petition for Extension of Time
Amendment Transmittal
Amended Abstract
Replacement Sheets

Date: January 28, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--